


FROM	NAME & TITLE	CHRIS RYER, DIRECTOR 	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET		
	SUBJECT	CITY COUNCIL BILL #19-0360/ ZONING – CONDITIONAL USE CONVERSION ... VARIANCE – 1214 BOLTON STREET		

DATE:

May 17, 2019

TO

The Honorable President and
 Members of the City Council
 City Hall, Room 400
 100 North Holliday Street

At its regular meeting of May 9, 2019, the Planning Commission considered City Council Bill #19-0360, for the purpose of the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 1214 Bolton Street (Block 0420, Lot 010), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking regulations.

In its consideration of this Bill, the Planning Commission reviewed the attached staff report which recommended approval of City Council Bill #19-0360, and adopted the following resolution with eight members being present (eight in favor):

RESOLVED, That the Planning Commission concurs with the recommendations of its departmental staff and recommends that City Council Bill #19-0360 be passed by the City Council.

If you have any questions, please contact Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

CR/ewt

attachment

- cc: Mr. Jeff Amoros, Mayor's Office
 The Honorable Edward Reisinger, Council Rep. to the Planning Commission
 Mr. William H. Cole, IV, BDC
 Mr. Derek Baumgartner, BMZA
 Mr. Geoff Veale, Zoning Administrator
 Ms. Sharon Daboin, DHCD
 Mr. Tyrell Dixon, DHCD
 Mr. Liam Davis, DOT
 Ms. Elena DiPietro, Law Dept.
 Mr. Francis Burnszynski, PABC
 Ms. Natawna Austin, Council Services
 Mr. Ervin Bishop, Council Services



Bernard C. "Jack" Young
Mayor

PLANNING COMMISSION

Sean D. Davis, Chairman

STAFF REPORT



Chris Ryer
Director

May 9, 2019

REQUEST: City Council Bill #19-0360/ Zoning – Conditional Use Conversion of a Single-Family Dwelling Unit to 2 Dwelling Units in the R-7 Zoning District – Variance – 1214 Bolton Street

For the purpose of permitting, subject to certain conditions, the conversion of a single-family dwelling unit to 2 dwelling units in the R-7 Zoning District on the property known as 1214 Bolton Street (Block 0420, Lot 010), as outlined in red on the accompanying plat; and granting a variance from certain off-street parking regulations.

RECOMMENDATION: Approval

STAFF: Ivor Quashie

PETITIONER: Councilmember Costello at the request of Cato Clemens

OWNER: Cato Clemens

SITE/GENERAL AREA

Site Conditions: 1214 Bolton Street is located on midblock on the west side of Bolton Street. The property measures approximately 18'8" by 150', and is currently improved with a four-story building and a two-car garage off of Mason Street in this R-7 residentially zoned district.

General Area: This property is located in the Bolton Hill neighborhood, and is located within the Madison Park South Urban Renewal Plan (URP) area. This neighborhood is largely residential in nature, with some institutional uses scattered throughout.

HISTORY

- The Bolton Hill Historic District was established by Ordinance 10-465, dated June 15, 1967.
- The Madison Park South Urban Renewal Plan (URP) was established by Ordinance #912, dated July 3, 1961 and last amended by Ordinance no. 14-207 in 2014.

CONFORMITY TO PLANS

The proposed action is consistent with LIVE EARN PLAY LEARN, the Comprehensive Master Plan for Baltimore, Live Goal 1: Build Human and Social Capital by Strengthening Neighborhoods, Objective 1: Expand Housing Choices for all Residents.

ANALYSIS

Background: This legislation would allow the petitioner to use the existing structure as two dwelling units. The ground floor and upper floors would be used as one dwelling unit and the basement would serve as the second unit.

Zoning Analysis: This property is a mid-block structure containing approximately 2,800 square feet of gross floor area. The basement contains approximately 1,000 square feet.

- The Zoning Code requires, for conversion of a single-family property in the R-7 District, 1,100 square feet of lot area per dwelling unit (BCZC §9-703.d., citing Table 9-401). A lot area of 2,200 square feet is thus required for the proposed use. This lot has 2,800 square feet and so meets the lot area requirement for conversion.
- The Zoning Code requires, for conversion of a single-family property in the R-7 District, gross floor area of 750 square feet per 1-bedroom unit created, and 1,000 square feet per 2-bedroom unit created (BCZC §9-703.c.). The existing structure contains approximately 900 gross square feet on each of its four above-grade levels. The 1-bedroom basement level will be approximately 900 square feet. The unit size requirement is therefore met.
- One additional off-street parking space is required to serve the one newly-created dwelling unit (BCZC §9-703.f.). A variance of this requirement is included in the bill.

Conditional Use: Per §5-406 {"Approval standards"} of Article 32 – *Zoning*:

(a) *Limited criteria for denying.*

Neither the Board of Municipal and Zoning Appeals, nor the City Council, as the case may be, may approve a conditional use unless, after public notice and hearing and on consideration of the standards required by this subtitle, it finds that:

- (1) the establishment, location, construction, maintenance, or operation of the conditional use would not be detrimental to or endanger the public health, safety, or welfare;
- (2) the use would not be precluded by any other law, including an applicable Urban Renewal Plan;
- (3) the authorization would not be contrary to the public interest; and
- (4) the authorization would be in harmony with the purpose and intent of this Code.

The establishment, location, and operation of this property as a multi-family dwelling containing two dwelling units would not be detrimental to or endanger public health, safety, or welfare. The proposed use is not precluded by any other law, including any applicable Urban Renewal Plan. The proposed authorization would not be contrary to the public interest (in fact, it would advance the public interest by creating more housing affordable to moderate-income families). Therefore, Planning staff conclude that the authorization would be in harmony with the purpose and intent of the Zoning Code.

In making the above recommendation, Planning staff reviewed §5-406(b) {"Required considerations"} of Article 32 – *Zoning*, and finds that the proposed use meets these additional criteria for approval of a conditional use:

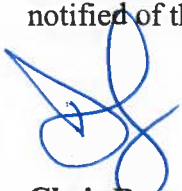
- (1) the nature of the proposed site, including its size and shape, are adequate for the proposed use;
- (2) there will be no negative impact to traffic patterns;
- (3) the proposed use will not impair the present and future development of this lot or the surrounding area;

- (4) there will be no negative impact resulting from proximity to dwellings, churches, schools, public structures, and other places of public gathering;
- (5) there is adequate accessibility of the premises to emergency vehicles;
- (6) there is adequate light and air to the premises and to properties in the vicinity;
- (7) adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided;
- (8) the proposed use would not interfere with preservation of cultural and historic landmarks and structures;
- (9) the proposed use would not alter the character of the neighborhood;
- (10) the proposed use is consistent with provisions of the City's Comprehensive Master Plan;
- (11) the proposed use is not regulated by any Urban Renewal Plan;
- (12) the proposed use meets all other applicable standards and requirements of the Zoning Code;
- (13) the proposed use is consistent with the intent and purpose of the Zoning Code; and
- (14) is consistent with any other matters that may be considered to be in the interest of the general welfare.

Planning staff recommend that the Planning Commission also find:

- The proposed use as a 2-family dwelling would be consistent with other residential use in the area and would allow continuing use of a structure that contributes to the Bolton Hill Historic District.
- While no off-street parking meeting Zoning Code standards can be provided on this property, the site is located in a dense, walkable neighborhood that is served by several bus lines two blocks away on North Howard Street.
- The variance that would be granted would not be injurious to use and enjoyment of other property in the immediate vicinity, nor substantially diminish or impair property values in the neighborhood. Maintaining this property in full occupancy would actually help improve property values in the central portion of the Bolton Hill Historic District. The variance is in harmony with the Comprehensive Master Plan, the Bolton Hill Historic District, and the Madison Park South Urban Renewal Plan, and related considerations of public health, safety, and general welfare.

Notification: Bolton Hill Community Association and Councilmember Eric Costello have been notified of this action.



Chris Ryer
Director